

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24731 of 2015

Arising Out of PS.Case No. -170 Year- 2013 Thana -CHOUTARWA District-
WESTCHAMPARAN (BETTIAH)

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1. Pramod Singh s/o Late Singhasan Singh
2. Ratnesh Singh, s/o Yogendra Singh
Both are residents of village Noniyapatti , Police Station - Chautarwa (Bhairoganj),
District - West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s :

For the Opposite Party/s :

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 13-06-2016

Heard learned counsel for the petitioners, learned A.P.P. for
the State and learned counsel for the informant.

The petitioners seek regular bail in Chautarwa (Bhairoganj)
P.S. Case No. 170 of 2013 dated 13.07.2013 instituted under Sections 302
and 354/34 of the Indian Penal Code.

This is the second attempt for bail, as earlier such prayer was
rejected by this Court on 03.07.2014 in Cr. Misc. No 4777 of 2014.

By order dated 27.04.2016, the Court had called for a report
from the trial Court as to why it has failed to comply with the order of a co-
ordinate Bench dated 10.02.2016 passed in Cr. Misc. No. 57808 of 2015
directing to conclude the trial within a fixed time limit. Pursuant to the
same, a report has been received from the Ist Additional Sessions Judge -
cum- Special Judge, Bagha, West Champaran dated 02.05.2016 explaining

the circumstances due to which trial was not concluded within the said period.

It has been submitted at the bar that the prosecution has argued its case and the defence is arguing its case for the last few occasions and thus, for all purposes, the trial is about to conclude. It has also been written in the report that the case can be concluded within two months.

As the trial is almost complete, the Court is not inclined to exercise its jurisdiction for grant of bail to the petitioners. However, on the basis of the report of the trial court itself, let the final judgment be passed in the case within one month from today.

It is made clear that the trial court shall, under all circumstances, ensure that the time limit fixed by this Court is adhered to and if any of the accused persons tries to delay or hamper further proceeding, the Court shall proceed in accordance with law exercising its powers and it shall be treated that the said accused does not want to assist the court with regard to finally arguing the matter.

Registry shall communicate the order to the court below through Fax also latest by tomorrow for its strict compliance.

(Ahsanuddin Amanullah, J)

Sujit/-

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